

# FSA Board Meeting - March 2023: Agenda and Papers

Agenda and papers for the FSA Board meeting on 22 March 2023 at 1864 Suite, Emirates Old Trafford, Talbot Road, Manchester, M16 0PX

The agenda for this meeting includes:

- Strategic Risk Management
- The Genetic Technology (Precision Breeding) Bill
- Achieving Business Compliance Programme
- Three Year Corporate Plan
- Risk Analysis Process and Regulated Products Service Update
- Annual Science Council Report

## 09:00 - Chair's Introduction

Professor Susan Jebb presents the minutes and actions from the previous FSA Board meeting in December 2022 and presents the Chair's report.

[FSA 23-03-01 - Minutes of the FSA Board Meeting on 7 December 2023](#)

[FSA 23-03-02 - Actions Arising](#)

## 09:20 - Chief Executive's Report to the Board (FSA 23/03/03)

Emily Miles presents the Chief Executive's report to the FSA Board.

[FSA 23-03-03 - Chief Executive's Report to the Board](#)

## 09:50 - Strategic Risk Management (FSA 23/03/04)

Tara Smith presents a paper reflecting the FSA's strategic, corporate and management approaches to risk, including identifying which responsibilities lie at Board, Audit and Risk Assurance Committee (ARAC) or Executive level, and also providing the Board with an overview of the strategic risks being managed.

[FSA 23-03-04 - Strategic Risk Management](#)

## 10:10 - The Genetic Technology (Precision Breeding) Bill (FSA 23/03/05)

Rebecca Sudworth and Rebecca Lamb present a paper setting out considerations and current thinking around the traceability of precision bred food/feed and providing an update on progress and an indicative timescale for delivery of the new regulatory framework.

[FSA 23-03-05 - The Genetic Technology \(Precision Breeding\) Bill](#)

**10:55 - Break**

## **11:15 - Achieving Business Compliance Programme (FSA 23/03/06)**

Katie Pettifer, Carmel Lynskey and Michael Jackson present a paper providing a comprehensive update on the Achieving Business Compliance Programme.

[FSA 23-03-06 - Achieving Business Compliance Programme](#)

## **12:00 - Three Year Corporate Plan (FSA 23/03/07)**

Katie Pettifer and Sam Faulkner present a paper setting out the FSA's corporate objectives for the next three years and describing how we will continue to deliver our [strategy](#) 'Food you can trust' published last year.

[FSA 23-03-07 - Three Year Corporate Plan](#)

## **12:20 - Risk Analysis Process and Regulated Products Service Update (FSA 23/03/08)**

Rebecca Sudworth, Lexi Rees and Ruth Willis present a paper providing an update to the FSA Board about the progress of issues in the Risk Analysis Process and Regulated Products Service (RPS).

[FSA 23-03-08 - Risk Analysis Process and Regulated Products Service Update](#)

**12:50 - Break**

## **13:35 - Annual Science Council Report (FSA 23/03/09)**

Professor Sandy Thomas presents a report providing an overview of the work of the Science Council over the past year and reflecting on its successes and challenges as well as providing a forward look into the future activities.

[FSA 23-03-09 - Annual Science Council Report](#)

## **13:55 - Welsh Food Advisory Committee (WFAC) Chair Report (FSA 23/03/10)**

Peter Price presents a report covering the activities of the Welsh Food Advisory Committee for the period September 2021 to February 2023.

[FSA 23-03-10 - Welsh Food Advisory Committee \(WFAC\) Chair Report](#)

## **14:05 - Report from the Chair of the Business Committee (INFO 23/03/01)**

Ruth Hussey presents a report from the Business Committee meeting held on 13 March. This paper will be published on 20 March.

## **14:20 - Report from the Chair of the Audit and Risk Assurance Committee (ARAC) (INFO 23/03/02)**

Timothy Riley presents a report as Chair of Audit and Risk Assurance Committee providing an update on activity since the previous Board meeting.

## **14:30 - Reports from the Chairs of the Food Advisory Committees (Oral Reports)**

Oral reports from the Chairs of the Food Advisory Committees by Anthony Harbinson and Peter Price.

## **14:35 - Any Other Business**

## **14:40 - Question and Answer session**

## **14:50 - End of Board Meeting**

## **Questions to the board**

We are keen to ensure, as far as is practical, that questions are addressed in the discussion at the Board meeting. Notwithstanding discussions on the day, all questions will receive a written reply within 20 working days of the meeting.

### **Question 1**

#### **From Dan Crossley, Executive Director, Food Ethics Council**

Does the FSA recognise that citizens have a range of ethical questions and concerns\* about the use of new technologies in the production of their food - and their associated desire for clear, point of sale labelling of precision bred organisms - that go beyond safety alone?

\*Issues include patenting, corporate control of the food chain, the right to know (about the provenance of their food and how it was produced), uncertain effects on the environment and consequences for animal welfare.

### **Question 1: answer**

We recognise the concerns of some consumers about the use of new technologies in the production of food. The FSA is planning to introduce a regulatory framework to ensure precision bred organisms (PBOs) for use in food and feed are appropriately regulated and proportionate to risk. PBOs will be assessed through the authorisation process for approval prior to being placed on the market for use in food and feed.

The FSA does not have policy responsibility for non-safety labelling in England and a decision not to require labelling of PBOs has already been made by the Secretary of State at Defra. However, the FSA has a statutory responsibility to represent consumer interests in relation to food. This was reflected in the FSA Board's discussion on our consumer research and paper in March, in

which arguments and opposing arguments were considered.

We have taken great care to understand what consumers think, and their perceptions of the benefits and risks of precision bred food and feed. That is why the Board agreed to keep the issue of consumer information under review.

As is our normal practice, we will be holding a future public consultation on draft proposals for the regulatory framework once they have been further developed. This will provide the opportunity for businesses, consumers and organisations such as yours to provide additional feedback before formal advice is given to the Secretary of State.

## **Question 2**

**From Steven Jacobs, Business development manager, Organic Farmers & Growers CIC**

We are not at all satisfied that due process is being maintained. We have written and in parliamentary committee we have spoken clearly to describe in detail what our very serious concerns are. Does the FSA Board acknowledge and recognise the concerns of those working in organic and non-GMO supply chains? What work has been undertaken to gauge the level of impact on organic and non-GMO supply chains?

### **Question 2: answer**

The FSA Board is aware of the concerns of stakeholders including stakeholders representing the organic sector. We will continue to consult with stakeholders as the policy develops and as we learn more about the kinds of precision bred products that may come to market in future.

Organic farming policy sits within Defra's remit and FSA policy officials have discussed the concerns raised in your questions to the FSA Board with their counterparts at Defra.

The Government is not amending the organic regulations as a consequence of this Act and as such, precision bred crops will still be regulated as GMOs for the purposes of the organic regulations. This means that precision bred crops cannot be classed as organic.

## **Question 3**

**From Steven Jacobs, Business development manager, Organic Farmers & Growers CIC**

In the Board paper the following is stated - 'Through our four-nation approach, the FSA will continue to work collaboratively across England, Wales and Northern Ireland, and with Scotland (whose ministers are advised by Food Standards Scotland), using Common Framework Agreement mechanisms.'

Does the FSA Board acknowledge and recognise the concerns of those working in food and agriculture in the devolved administrations? Has the FSA Board taken seriously the concerns expressed by both the Scottish and Welsh Governments to both the UKIMA and to the proposals for PBO and PBFF under the new bill?

### **Question 3: answer**

Organic farmers were one of a number of stakeholder groups Defra consulted during the development of this policy area. As a result of concerns expressed about the impact of the cultivation of precision bred crops, Defra have contracted an organisation to facilitate a dialogue

on the successful coexistence of different agricultural production systems. These meetings are expected to start in the first half of 2023.

Defra do not expect the organic export market to be damaged by the measures in this Act as there are practices that can be adopted to successfully maintain separate agricultural supply chains.

#### **Question 4**

**From Steven Jacobs, Business development manager, Organic Farmers & Growers CIC**

What is the timeline for delivery of industry surveys & workshops to enable a clear picture of the impact that PBOs and PBFFs could have across the industry and with specific reference to organic and non-GMO supply chains?

#### **Question 4: answer**

The FSA will be holding stakeholder workshops on enforcement, the authorisation process for PBOs used in food and feed and the public register w/c 17 April. Officials from Defra have been invited to these workshops, and so will be present to hear first hand your concerns for the organic supply chain and sector.

The FSA will also be carrying out public consultations on draft proposals for the regulatory framework which we intend to include as part of our secondary legislation.

#### **Question 5**

**From Steven Jacobs, Business development manager, Organic Farmers & Growers CIC**

Our understanding is that applicants will in effect be required to self-declare eligibility for PBO status. What level of certainty can the FSA Board give that new PBO and PBFF supply lines will not be contaminated with GMO material (that is material produced by the use of Genetically Modified Organisms as per the definition produced by the HSE)?

#### **Question 5: answer**

As part of the approval process, developers must receive a formal confirmation from the Secretary of State (Defra) that an organism is precision bred before it can be marketed. The Secretary of State will base this confirmation on a scientific assessment by the Advisory Committee on Releases to the Environment. Developers will need to submit information for this assessment. Information submitted by the developer and a report by the advisory committee will be published on a public Precision Breeding register along with the Secretary of State's conclusion.

In regards to the protection of conventional or organic crops, the scientific advice is that organisms produced using precision breeding pose no greater risk to the environment than organisms produced through traditional breeding methods. Defra are continuing to engage with the organic sector and will be running activities to understand how these coexistence measures can be used to successfully protect a separate organic sector.

#### **Question 6**

**From Steven Jacobs, Business development manager, Organic Farmers & Growers CIC**

What activity has the FSA undertaken in order to study the safety of PBOs for food use over periods of time? Days, months, years?

**Question 6: answer**

With reference to your comments on the activity the FSA has taken to study the safety of PBOs, there are currently no PBOs used as food or feed in the UK. The FSA is working with the ACNFP (Advisory Committee on Novel Foods and Processes) to establish a new regulatory framework to assess the safety of PBOs prior their use as food or feed in England. The FSA has also looked to other countries where products equivalent to PBOs are under development and on the market. We expect to provide more detail on these activities as we continue to develop policy on the regulatory framework for PBOs.